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Constitutional Convention Style and Drafting/Article IX (Committee Proposal/9/Enrolled) January 28, 1956

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ALASKA CONSTITUTIONAL CONVENTION

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Hon. William A. Egan, President Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents its redraft of the Article on Finance and Taxation for consideration by the Convention.

Respectfully submitted,

George Sundborg, Chairman R. Rolland Armstrong Edward V. Davis Victor Fischer Mildred R. Hermann James J. Hurley Maurice T. Johnson George M. McLaughlin Katherine D. Nordale

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Style and Drafting/Article IX

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention Style and Drafting/Article IX January 28, 1956

CONSTITUTIONAL CONVENTION OF ALASKA RESOLVED, that the following be agreed upon as part of

the Alaska State Constitution:

ARTICLE IX

FINANCE AND TAXATION

Taxing Power	1	Section 1. The power of taxation shall never be
	2	surrendered. This power shall not be suspended or
	3	contracted away, except as provided in this article.
Non-dis- crimination	4	Section 2. The lands and other property belong-
	5	ing to citizens of the United States residing without
	6	the State shall never be taxed at a higher rate than
	7	the lands and other property belonging to the resi-
	8	dents of the State.
Assessment Standards	9	Section 3. Standards for appraisal of all pro-
	10	perty assessed by the State or its political sub-
	11	divisions shall be prescribed by law.
Exemptions	12	Section 4. The real and personal property of the
	13	State or its political subdivisions is exempt from
	14	taxation under conditions and exceptions which may be
	15	provided by law. All or any portion of property used
	16	exclusively for non-profit religious, charitable,
	17	cemetery or educational purposes, as defined by law,

1 is exempt from taxation. Other exemptions of like or 2 different kind may be granted by general law. All valid 3 existing exemptions are retained until otherwise 4 provided by law.

Interests in Government Property

Public Purpose

Dedicated

Funds

5 Section 5. Private leaseholds, contracts, or 6 other interests in land or property owned or held by 7 the United States, the State or its political sub-8 divisions, shall be taxable to the extent of the 9 interests.

Section 6. No tax shall be levied or appropriation of public money made or public property transferred, nor shall the public credit be used, except for a public purpose.

Section 7. The proceeds of any state tax or 14 license shall not be dedicated to any special purpose, 15 except when required by the federal government for 16 state participation in federal programs. This pro-17 vision shall not prohibit the continuance of any 18 dedication for special purposes existing upon the date 19 20 of ratification of this constitution by the people of 21 Alaska.

State Debt

Section 8. No state debt shall be contracted unless authorized for capital improvements by a majority vote in each house of the legislature with ratification by a majority of the qualified voters

- 2 -

of the State who vote on the question. The State 2 3 invasion, suppressing insurrection, defending the State in war, meeting natural catastrophes, or re-4 5 deeming indebtedness outstanding at the time this 6 constitution becomes effective.

Local Debts

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7 Section 9. No debt shall be contracted by any 8 political subdivision of the State unless authorized 9 for capital improvements by its governing body with 10 ratification by a majority vote of those qualified 11 to vote and voting on the question.

Interim Borrowing

Section 10. The State and its political sub-12 13 divisions may borrow money to meet appropriations 14 for any fiscal year in anticipation of the collection of the revenues of that year, but all debt so con-15 16 tracted shall be paid before the end of the next 17 fiscal year.

Exceptions

18 Section 11. The restrictions on contracting debt do not apply to debt incurred through the 19 20 issuance of revenue bonds by a public enterprise 21 or public corporation of the state or political subdivision when the only security is the revenues 22 of the enterprise or corporation. The restrictions 23 do not apply to indebtedness to be paid from special 24 assessments on the benefitted property nor do they 25

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apply to refunding indebtedness of the state or its political subdivisions.

Section 12. The governor shall submit to the 3 legislature, at a time fixed by law, a budget for 4 the next fiscal year setting forth all proposed 5 6 expenditures and anticipated income of all departments, offices and agencies of the State. The 7 governor at the same time shall submit a general 8 9 appropriation bill to authorize the proposed expenditures, and a bill or bills covering recommendations 10 11 in the budget for new or additional revenues.

Expenditures	12	Section 13. No money shall be withdrawn from
	13	the treasury except in accordance with appropriations
	14	made by law. No obligation for the payment of money
	15	shall be incurred except as authorized by law. Un-
	16	obligated appropriations outstanding at the end of
	17	the period of time specified by law shall be void.
Legislative Post-audit	18	Section 14. The legislature shall appoint an
	19	auditor to serve at its pleasure. He shall be a
	20	certified public accountant. The auditor shall
	21	conduct post-audits as prescribed by law and shall
	22	report to the legislature and to the governor.
Territorial Assets and Liabilities	23	Section 15. The debts and liabilities of the
	24	Territory of Alaska shall be assumed and paid by the
	25	State, and debts owed to the Territory shall be
	26	collected by the State. Assets of the Territory shall
	27	become asset of the State.
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Budget

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Amendment No.

Constitutional Convention Committee on Style By and Drafting

Date January 28, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 9 (Article IX)

MR. PRESIDENT:

. . .

I move that (Committee) Proposal No. 9 (IX) be amended

as follows:

Section 8, page 3, line 2, strike "by law" and substitute "as provided by law and without ratification".

Section 15, page 4, line 26, after "assets" and substitute "the property".

Page 2, line 10, insert a comma after "levied" and on line 11, insert a comma after the word "made".

Page 3, line 25, drop one "t" from "benefited".

Section 8, page 2, lines 23 and 24, strike " a majority vote in each house of the legislature" and insert in lieu thereof the word "law".

Section 5, line 6, strike the word "other".

Constitutional Convention Style and Drafting/Article IX (Committee Proposal/9/Enrolled) January 28, 1956

ALASKA CONSTITUTIONAL CONVENTION

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Hon. William A. Egan, President Alaska Constitutional Convention

Dear President Egan:

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Respectfully submitted,

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Style and Drafting/Article IX

REPORT OF COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention Style and Drafting/Article IX January 28, 1956

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the Alaska State Constitution:

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Interests in 5 Section 5. Private leaseholds, contracts, or Government Property 6 other interests in land or property owned or held by 7 the United States, the State or its political sub-8 divisions, shall be taxable to the extent of the 9 interests.

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Section 7. The proceeds of any state tax or Dedicated 14 Funds 15 license shall not be dedicated to any special purpose, 16 except when required by the federal government for 17 state participation in federal programs. This pro-18 vision shall not prohibit the continuance of any 19 dedication for special purposes existing upon the date of ratification of this constitution by the people of 20 21 Alaska.

State Debt22Section 8. No state debt shall be contracted23unless authorized for capital improvements by a24majority vote in each house of the legislature with25ratification by a majority of the qualified voters

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by law contract debt for the purpose of repelling
invasion, suppressing insurrection, defending the
State in war, meeting natural catastrophes, or re deeming indebtedness outstanding at the time this
constitution becomes effective.

Local Debts 7 Section 9. No debt shall be contracted by any 8 political subdivision of the State unless authorized 9 for capital improvements by its governing body with 10 ratification by a majority vote of those qualified 11 to vote and voting on the question.

Interim 12 Section 10. The State and its political sub-Borrowing 13 divisions may borrow money to meet appropriations 14 for any fiscal year in anticipation of the collection 15 of the revenues of that year, but all debt so con-16 tracted shall be paid before the end of the next 17 fiscal year.

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apply to refunding indebtedness of the state or its political subdivisions.

Budget

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Expenditures 12

Legislative Post-audit

Territorial

Assets and

Liabilities

Section 13. No money shall be withdrawn from 13 the treasury except in accordance with appropriations 14 made by law. No obligation for the payment of money 15 shall be incurred except as authorized by law. Un-16 obligated appropriations outstanding at the end of 17 the period of time specified by law shall be void.

18 Section 14. The legislature shall appoint an auditor to serve at its pleasure. He shall be a 19 certified public accountant. The auditor shall 20 conduct post-audits as prescribed by law and shall 21 report to the legislature and to the governor. 22

23 Section 15. The debts and liabilities of the Territory of Alaska shall be assumed and paid by the 24 State, and debts owed to the Territory shall be 25 collected by the State. Assets of the Territory shall 26 become assets of the State. 27

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Amendment No.

Constitutional Convention_ By Stiple & Drafter Date Jan. 28, 14

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MR. PRESIDENT:

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Amendment No. _/___

Constitutional Conversion	
By finance Committee	-
Date	

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